



Federal Communications Commission  
Washington, D.C. 20554

May 21, 2009

DA 09-1122

Walter W. Gallinghouse  
Communications Center, Inc.  
P.O. Box 3247  
16218 HWY. 190  
Covington, LA 70434

Re: Request for Extension of Time to Construct Part 22 Paging Licenses

Dear Mr. Gallinghouse:

This letter addresses the request filed on December 30, 2008, on behalf of Communications Center, Inc. (Communications Center) for an extension of time of the construction requirements in section 22.503(k)(2) of the Commission's rules<sup>1</sup> as they apply to seventeen Part 22 Paging licenses located in certain Louisiana and Mississippi Economic Areas (Extension Request).<sup>2</sup> Specifically, Communications Center requests an extension of time until January 8, 2010, in order to satisfy its five-year construction requirements for the licenses subject to its Extension Request. For the reasons stated below, we grant Communications Center's Extension Request.

Pursuant to sections 1.946(c) and 1.955(a)(2) of the Commission's rules, Communications Center's licenses will terminate automatically as of the construction deadline if Communications Center fails to meet the requirements of section 22.503(k)(2), unless the Commission grants an extension or waives the construction requirements.<sup>3</sup> An extension of time to complete construction may be granted, pursuant to section 1.946(e), if the licensee shows that the failure to complete construction is due to causes beyond its control.<sup>4</sup> The construction deadline for the 10 licenses was January 8, 2009.

In its Extension Request, Communications Center states that it intends to use its licenses to expand the geographic coverage of its existing multi-site trunked two-way radio network operating within the New Orleans area.<sup>5</sup> Communications Center argues the reasons for its Extension Request center around the devastation caused by Hurricanes Katrina, Rita and Gustav (Hurricanes).<sup>6</sup> As a result of the Hurricanes, Communications Center states that its manpower resources were strained by the demand for technical services related to its own systems, repairing subscriber units as well as requests from public

<sup>1</sup> No later than five years after the grant of an Economic Area license, the licensee must construct or otherwise acquire and operate sufficient facilities to cover two thirds of the population in the paging geographic area, or alternatively, satisfy the substantial service option in accordance with 22.503(k)(3) of the Commission's rules. *See* 47 C.F.R. § 22.503(k)(2).

<sup>2</sup> Request for Extension of Time to Construct (filed December 30, 2008) (Extension Request). *See* File Nos. 0003689529 (WPZF669); 0003689532 (WPZF670); 0003689538 (WPZF671); 0003689562 (WPZF672); 0003689563 (WPZF673); 0003689564 (WPZF674); 0003689566 (WPZF675); 0003689567 (WPZF676); 0003689569 (WPZF677); 0003689571 (WPZF679); 0003689574 (WPZF680); 0003689575 (WPZF681); 0003689577 (WPZF682); 0003689578 (WPZF683); 0003689579 (WPZF684); 0003689580 (WPZF685); 0003689582 (WPZF686).

<sup>3</sup> 47 C.F.R. §§ 1.946(c), 1.955(a)(2).

<sup>4</sup> 47 C.F.R. § 1.946(e).

<sup>5</sup> Extension Request at 2.

<sup>6</sup> *Id.*

safety entities for installation of backup equipment.<sup>7</sup> Consequently, Communications Center states that it was necessary to delay construction of its licenses outside of the New Orleans area as its focus was placed on the immediate needs related to the aftermath of the Hurricanes. Communications Center points out that it was able to construct seven licenses located within the New Orleans Economic Area prior to its construction deadline and that four of the licenses are being used for public safety services.<sup>8</sup>

The impact of the Hurricanes to the Gulf Coast area is well documented and the devastation caused by these storms was unique and beyond the control of Communications Center. We are encouraged that Communications Center has met the construction requirements for seven of its licenses and believe the additional time requested by Communications Center would allow it to complete construction of the remaining 17 licenses. Therefore, we find that a one-year extension to allow Communications Center to construct its licenses is in the public interest. While we do not doubt that portions of the Gulf Coast area continue to be impacted by the Hurricanes, Communications Center should not anticipate a further extension beyond January 8, 2010, without extenuating circumstances that would prevent Communications Center from meeting its construction requirements.

Accordingly, IT IS ORDERED that, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.331 and 1.946 of the Commission's rules, 47 C.F.R. §§ 0.331, 1.946, the Request by Communications Center, Inc. for an extension of time to construct IS HEREBY GRANTED, and the construction deadlines for the licenses listed in footnote 2 above shall be extended until January 8, 2010.

Sincerely,

Thomas P. Derenge  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau

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<sup>7</sup> *Id.*

<sup>8</sup> *Id.* at 3.